

Health and Safety Executive (Powers) Bill

EXPLANATORY NOTES

Explanatory notes to the Bill, prepared by the Health and Safety Executive at the request of James Cleverly, are published separately as Bill 25 – EN.

Health and Safety Executive (Powers) Bill

CONTENTS

- 1 Powers of the Health and Safety Executive
- 2 Charges
- 3 Extent, commencement and short title

A

B I L L

TO

Confer further powers on the Health and Safety Executive.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Powers of the Health and Safety Executive

In section 13 of the Health and Safety at Work etc. Act 1974 (powers of the Executive), after subsection (6A) insert—

“(6B) *The Executive may provide services or facilities otherwise than for the general purposes of this Part.* 5

(6C) The Executive may not exercise the powers in subsection (6B) except with the consent of the Secretary of State or in accordance with a general authorisation given by the Secretary of State.”

2 Charges

(1) In section 43 of the Health and Safety at Work etc. Act 1974 (financial provisions), in subsection (2) (regulations about fees for the performance of statutory functions), after “provisions” insert “other than section 13(6B)”. 10

(2) After section 43 of that Act insert—

“43ZA Charges

(1) The Executive may charge for services or facilities provided under section 13(6B). 15

(2) Regulations may make provision about the charges for those services and facilities, including provision requiring the Executive to charge such amounts as are fixed by or determined under the regulations.

(3) Regulations under this section may, in particular— 20
 (a) provide for an amount charged to consist of two or more components specified by the regulations;

- (b) provide for calculation by reference to an hourly rate (which may be a rate specified by the regulations or a rate within a range specified by the regulations).
- (4) The power to make regulations under this section is exercisable by the Secretary of State.”

5

3 Extent, commencement and short title

- (1) An amendment made by this Act has the same extent as the provision amended.
- (2) This section extends to England and Wales, Scotland and Northern Ireland.
- (3) This section comes into force on the day on which this Act is passed.
- (4) The remaining provisions of this Act come into force on such day or days as the Secretary of State may by regulations made by statutory instrument appoint.
- (5) This Act may be cited as the Health and Safety Executive (Powers) Act 2015.

10

Health and Safety Executive (Powers) Bill

A

B I L L

To confer further powers on the Health and Safety Executive.

Presented by James Cleverly

*Ordered, by The House of Commons,
to be Printed, 24 June 2015.*

© Parliamentary copyright House of Commons 2015

*This publication may be reproduced under the terms of the Open Parliament Licence, which is published at
www.parliament.uk/site-information/copyright*

PUBLISHED BY AUTHORITY OF THE HOUSE OF COMMONS
LONDON – THE STATIONERY OFFICE LIMITED
Printed in the United Kingdom by The Stationery Office Limited
£x.xx